

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARVIN HARRIS, et al.,

Plaintiffs,

v.

CORRECTIONAL OFFICER CURRY, et  
al.,

Defendants.

No. 1:21-cv-01452-DAD-GSA (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
PLAINTIFF HARRIS FROM THIS ACTION  
DUE TO HIS FAILURE TO OBEY A COURT  
ORDER AND PAY THE REQUIRED FILING  
FEE

(Doc. No. 11)

Plaintiff Marvin Harris is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 27, 2022, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed due to plaintiff's failure to obey the court's order directing him to pay the required filing fee to proceed with this action. (Doc. No. 11.) The findings and recommendations were served on all parties and contained notice that any objections thereto were to be filed within fourteen (14) days. (*Id.* at 3.) To date, no objections have been filed, and the deadline in which to do so has passed. Plaintiff has also failed to pay the required filing fee or otherwise communicate with the court.

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this  
2 court has conducted a de novo review of this case. Having carefully reviewed the entire file, the  
3 court finds the findings and recommendations to be supported by the record and proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on June 27, 2022 (Doc. No. 11) are  
6 adopted in full;
- 7 2. Plaintiff Marvin Harris is dismissed from this action, without prejudice, due to  
8 plaintiff Harris's failure to pay the required filing fee and failure to obey a court  
9 order;
- 10 3. This case proceeds only as to the claims brought by plaintiffs Robinson Kennedy  
11 and Adam E.; and
- 12 4. The Clerk of the Court is directed to update the docket to reflect that plaintiff  
13 Marvin Harris has been terminated from this action.

14 IT IS SO ORDERED.

15 Dated: July 26, 2022

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18 UNITED STATES DISTRICT JUDGE  
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